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Southern District of New York*

FOR IMMEDIATE RELEASE  
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PRESS RELEASE

MARY JO WHITE, the United States Attorney for the Southern District of New York, announced today that the owners and operators of the RAINBOW COMPLEX have agreed to comply with the Americans with Disabilities Act ("ADA") and make this establishment accessible to people with disabilities. Located at the top of 30 Rockefeller Plaza, the centerpiece of Rockefeller Center in New York City, the RAINBOW COMPLEX is a complex of restaurants, bars, and function rooms that includes the RAINBOW ROOM, the PROMENADE BAR, RAINBOW AND STARS, the RAINBOW PAVILION, and the PARK SUITE.

The Government has filed a civil lawsuit under the ADA against defendants CIPRIANI FIFTH AVENUE, the current operator; RCPI TRUST, the current owner; and B.E. ROCK CORP., the former operator, and, simultaneously, settled the lawsuit by entering into a Consent Decree with the defendants. The Consent Decree requires the current owner of the RAINBOW COMPLEX, RCPI TRUST, and the current operator of the RAINBOW COMPLEX, CIPRIANI FIFTH AVENUE, to

fully accessible unisex restroom on the 65th floor of the facility, where the RAINBOW ROOM is located.

The Consent Decree is not limited to the RAINBOW ROOM, the art deco restaurant that first opened its doors to the public in the mid-1930s. In addition to the restaurant, the Consent Decree also requires extensive modifications that will open the PROMENADE BAR, the RAINBOW PAVILION, RAINBOW AND STARS, and the PARK SUITE to persons with disabilities where access to each of these bars and function rooms had previously been restricted, if not prohibited, by the presence of significant architectural barriers.

The current owners and operators of the RAINBOW COMPLEX have also agreed to modify interior routes, interior doors, fire alarms, elevators, elevator lobbies, restrooms, and public telephones. In addition, the current owners and operators have agreed to develop written policies for providing goods and services to individuals with disabilities at the RAINBOW COMPLEX, including a new policy for the reservation of tables by persons with disabilities, and to make the new policies known to employees and patrons.

Ms. WHITE stated: "The comprehensive corrective steps required by this Consent Decree will ensure that persons with disabilities have an equal opportunity to enjoy the experience offered at this famous establishment. At the same time, by holding the former operator of the RAINBOW COMPLEX responsible in civil

penalties and damages for past violations of the ADA, the Consent Decree sends an important message that a restaurant operator should not expect to escape responsibility for failing to comply with the ADA solely because its lease of the premises will one day expire."

Assistant United States Attorney ANDREW W. SCHILLING is in charge of the case.

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